G. R. S. IX-5]

Preserved

Previous references.
Ro. No J4550-4600-Cts
312-12-1 Dy 10.5.1919.-20.
No JC 1305-52/GF 20-8-1
Dy 3.9.68. (Cts)

File No. 3-Cy

Serial Nos. 1 & 2

Later references.
Cts. 312-21(1-5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Nos only

Part B for July 19.

SUBJECT.

Power of the Chief Court to grant leave to Special Magistrates

---

Ltr) To, The Regr, Chief Court.
No G 2229 Dy 28.7.19.
States that the Special Magistrates are Officers of the Judicial Department and as such Chief Court can grant leave to them upto a period of one month provided that no substitute is required

Regr

W D 1250—GPB—30,000 - 28-1-19

G. R. S. III—1] 1918.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 3-19

FILE HEADING.

Power of the Chief Court to grant leave to Special Magistrates.

From The Regr. Chief Court

No. R.O.C 1373 Dated 2-7-1919 Received 4-7-1919

Diary No. 25	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests orders of the Chief Court-Can grant-the leave of applied by Mrs. B. Narayana Swamingar, Second class magis, Bangalore for 2 days under cl (10) of power of G.O Pl. 1805-54 dt 3-9-1918

NOTES AND ORDERS.

11.

Sorted with G.O no Pl. 1805-54 dt 3-9-1918 G.O no 1750-19-1 dt 5-6-1919 by which power has been delegated to the Chief Court to grant leave to gazetted officers of the Judicial department upto one months provided no substitute

NOTES—First Sheet.

Serial No.

is required.

2) The point for consideration is whether Special magistrates appointed under the Judicial separation scheme are officers of the Judicial department to the extent of the exercise of the powers referred to.

3) Kind reference is invited in this connection to para six of the G.O. of the 10th May 1918, wherein it has been stated that the new Spl. magts will be included in the cadre of the Judicial department.

Submd. for orders.

8/7/17

4) Mano put up draft Sanct'g first & submit for approval.

5) The general q'n raised in the letter may be dealt with after the cases.

D.M. 8/7

6) Resolved. The point for consideration is who should sanction the leave, the Govt or the Chief Court. If a draft sanctioning is put up issued, it practically

Serial No.

means that the power rests with the Govt. Further there seems to be no particular hurry to sanction the leave, as it seems, considering the purpose for which the leave is applied for, that the officer has been permitted to utilise the leave. If however it is considered necessary to issue orders in the matter first, it is submitted that the chief Court's letter does not give the date from which the leave is to be sanctioned. The Comptroller's certificate regarding the title of the officer to the leave is not also sent.

Submitted for orders.

STR 817

In accordance with para 6 of the G.O. of 10th May 19[illegible] the Spl Magistrates are officers of the Judl Deptt. If this view is correct the Chief Court can grant Pl. leave to the Spl Magistrates upto one month provided no substitute is required.

8.7.19

Chief Secy/J

(1st member)

234/14.7.19

Agree. A reply may be sent accordingly.

15.7.19

Chief Secy 14/7/19

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

257

14

of File No. 3 of 1919.

Serial No.	
	Enclosed with a draft reply to the Registrar, Chief Court.
	86 17/7/19 Asst
	Issue. SMA 21.7.19
2	2
	Re Registrar, Ch Court No. G. 2229 & 28.7.19.
	States that the Sessions Magistrates are officers of the Judicial Dept and as such the Chief Court can grant leave to them up to a period of one month provided that no substitute is required.

B 317

PROTECTION BRANCH
— AUG 1919

NOTE—Contn. sheet.

257.5

19 -19

Chief Court of Mysore,

R. O. C. No.1373/18-19. Bangalore, 30th June 1919. 3-19

2nd July 19

From

G. Sreenivasa Iyer Esq., B.A., M.L.,
Registrar of the
Chief Court of Mysore.

To

C. S. Balasundaram Iyer Esq., B.A.,
Chief Secretary to the Government of Mysore,
Bangalore.

Sir,

I am directed to state that Mr. B. Narayanaswami Iyengar, Special Magistrate, Second Class, Bangalore, has applied for 25 days' privilege leave on account of his mother's death. The District Magistrate, Bangalore, has forwarded the application with his recommendation for sanction and states that the City Magistrate, Bangalore, will be in charge of the 2nd class Magistrate's Court in addition to his duties.

I am to request the orders of Government whether under clause (10) of para 1 of G.O. No. Fl.1305-54--G.F.70-18-1 dated the 3rd September 1918, the Chief Court may grant leave to Special Magistrates appointed under the scheme for the separation of the Judicial and Executive functions. It is not yet definitely decided apparently whether these officers are in the judicial department for all purposes.

I have the honor to be,
Sir,
Your most obedient servant,

G Srinivasa Iyer

SK. REGISTRAR.

6

G. R. S. VI—G/32]

SUBJECT a2/17

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT
( )
, *the* 191

Date of issue 28.1.19

Signed by [illegible]

Section
File No. 3-19
Serial No. 29

No. G 229

To

The Regr, chief Court

Sir,

With reference to your letter R.O.C no. 1373/18-19 of 2nd July 19 requesting orders of Govt whether the Chief Court may grant leave to Special magts; I am directed to state that under para 6 of the G.O no. J 4550-66-00 / 5312-12-1 of 10-5-1918 the Special magistrates

over.

24/7

are officers of the Judicial
Dept. and as such
Court.
the Chief can grant
leave to ~~the Depts~~ them
up to a period of one month provided that
no substitute is required.

I have etc

[illegible]
for Chief Secy.

867
17/7/19
867

List of en[illegible]

Copied by

Examined by

1—GPB—20,000—19-3-18